

REMARKS

The Official Action mailed October 6, 2003, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on January 12, 2000; March 31, 2000; June 28, 2001; October 31, 2001; July 1, 2002, and December 26, 2002. However, the Applicant has not received acknowledgment of the Information Disclosure Statement filed on August 27, 2003. The Applicant respectfully requests that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of these Information Disclosure Statements. A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1-37 were pending in the present application prior to the above amendment. Claims 3 and 13 have been amended to better recite the features of the present invention. Accordingly, claims 1-37 are now pending in the present application and, for the reasons set forth in detail below, are believed to be in condition for allowance. Favorable reconsideration is requested.

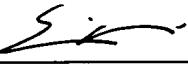
The Official Action rejects claims 3, 6, 13-16, 24-26 and 35-37 under 35 U.S.C. § 112, second paragraph, asserting that claims 3 and 13 are incomplete for omitting essential elements (page 2, Paper No. 38). In response, claims 3 and 13 have been amended to recite "said cylindrical lens group comprising a number n of cylindrical lenses ... wherein the first and nth cylindrical lenses of the cylindrical lens group are shielded from the laser beam." The Applicant respectfully submits that claims 3, 6, 13-16, 24-26 and 35-37 are definite as amended. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 112 are in order and respectfully requested.

The Official Action rejects claims 1, 2, 7 and 9-12 as obvious based on U.S. Patent Application Publication No. 2002/0117630 to Yamazaki et al. It also appears that claims 4-6, 8, 17-24, 27-29 and 31-33 are rejected as obvious based on Yamazaki '630. However, subject matter under §§ 102(e), (f), and/or (g) is not available as prior art in an obviousness rejection under § 103 "where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person [or organization]" (see 35 U.S.C. § 103(c); MPEP § 706.02(l) - § 706.02(l)(3), § 2146). The present application and the subject matter of Yamazaki '630 were, at the time the invention was made, owned by or subject to an obligation of assignment to Semiconductor Energy Laboratory Co., Ltd. Therefore, Yamazaki '630 is not available as prior art against the present application. Reconsideration of the rejection is requested.

The Applicant notes that dependent claims 30 and 34 have not been formally rejected in the Official Action. For at least the reasons set forth above, it is respectfully submitted that claims 30 and 34 are allowable.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,


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